

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MAUREEN BYAM,	:	
Petitioner,	:	CIVIL ACTION
	:	
v.	:	
	:	
GIROUX, et al.	:	No. 11-3634
Respondents.	:	

ORDER

AND NOW, this 10th day of November, 2011, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus is DISMISSED without prejudice for failure to exhaust state remedies;
3. There is no probable cause to issue a certificate of appealability;
4. The Clerk of the Court shall mark this case closed for statistical purposes.¹

BY THE COURT:

/s/LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.

¹ Because this is a cut-and-dry procedural issue, there is nothing Ms. Byam could raise in her objections that would change the disposition of the report and recommendation.